

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	§	Chapter 11 Case
	§	
Old LC, Inc., <i>et al.</i> <sup>1</sup>	§	Case No. 19-11791 (BLS)
	§	
Debtors.	§	Jointly Administered

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Official Committee of Unsecured Creditors of Old LC, Inc., et al., for and on behalf of the estates of Old LC, Inc., et al.;	§	
	§	
	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	Adv. No. 20-51002 (BLS)
	§	
Upfront V, LP, Breakwater Credit Opportunities Fund, L.P.; Upfront GP V, LLC; Mark Suster; Dana Kibler; Gregory Bettinelli; Saif Mansour; Aamir Amdani; Eric Beckman; Darrick Geant; and Joseph Kaczorowski	§	§ <b>Re: Docket Nos. 35, 38, 41</b>
	§	
	§	
<i>Defendants.</i>	§	

**ORDER**

Upon consideration of the *Motion of Upfront V, L.P., Upfront GP V, LLC, Mark Suster, Dana Kibler and Gregory Bettinelli to Dismiss First Amended Complaint and Objection to Claims and Motion to Strike Prayer for Compensatory Damages* [D.I. 35] (the “**Motion**”), the Plaintiffs' Memorandum of Law in Opposition to Upfront Defendants' Motion to Dismiss [D.I. 38] (the “**Opposition**”) and Reply of Upfront V, L.P., Upfront GP V, LLC, Mark Suster, Dana Kibler and Gregory Bettinelli to Plaintiff's Opposition to Upfront Defendants' Motion to Dismiss [D.I.

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<sup>1</sup> The Debtors are the following four entities (the last four digits of their respective taxpayer identification numbers, if any, follow in parentheses): Old LC, Inc. (7119), Old LC Holdings, Inc., Old LCF, Inc., and Old LC Parent, Inc. The Debtors' noticing address in these Chapter 11 cases is c/o Bryan Cave Leighton Paisner LLP, Attn: Mark I. Duedall, 1201 W. Peachtree Street, 14<sup>th</sup> Floor, Atlanta, Georgia 30309.

41] (the “**Reply**”), and after oral argument on the Motion, Opposition, and Reply, held on August 19, 2021 (the “**Hearing**”), and after due deliberation and sufficient cause appearing therefore, it is hereby:

ORDERED that the Motion is DENIED for the reasons set forth on the record of the Hearing.

Dated: September 7th, 2021  
Wilmington, Delaware



BRENDAN L. SHANNON  
UNITED STATES BANKRUPTCY JUDGE